

REMARKS

Claims 1-102 were pending in the present application. Claims 77-81 and 83-102 were cancelled without prejudice. Therefore, claims 1-76 and 82 are currently pending. No new matter has been added.

Response to Restriction Requirement Under 35 U.S.C. §121

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

Group I: Claims 1-76 and 82, drawn to products of Formula I, classified in various subclasses of classes 540, 544, 546 and 548;

Group II: Claims 77-81, drawn to methods of treatment comprising compounds of Formula I, classified in various subclasses of class 514;

Group III: Claims 82 and 83, drawn to pharmaceutical compositions for treating and preventing bacterial infection, classified in various subclasses of class 514;

Group IV: Claims 84-94, drawn to a method of preparing compounds of Formula I, classified in various subclasses of classes 540, 544, 546 and 548;

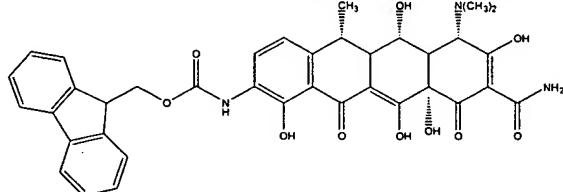
Group V: Claims 95-99, drawn to a method of preparing compounds of Formula I, classified in various subclasses of classes 540, 544, 546 and 548; and

Group VI. Claims 100-102, drawn to a reactive intermediate compound of Formula I, classified in various subclasses of classes 540, 544, 546 and 548.

Applicants hereby elect Group I, drawn to products of Formula (I), without traverse.

Response to Species Election

The Examiner has required Applicants to elect, under 35 U.S.C. §121, a single disclosed compound species for prosecution on the merits. Applicants hereby elect:



It is Applicants' understanding that the species election is for searching purposes only, and upon a finding of allowability of the elected species, the remaining species also will be searched.

SUMMARY

Cancellation of claims should in no way be construed as acquiescence to any of the Examiner's objections and/or rejections. The cancellation of the claims is being made solely to expedite prosecution of the above-identified application. Applicants reserve the option to further prosecute the same or similar claims in the present or another patent application. The cancellation of the claims is not related to any issues of patentability.

It is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephone conference with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

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By _____



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